



DEPARTMENT OF THE AIR FORCE

96ABW/JA

501 W. Van Matre Avenue

Eglin AFB, FL 32542

Dear Client:

You have just executed a Will and/or advanced medical directive and powers of attorney drafted by an attorney from this office. Before you depart, I want to remind you of some critical information about these documents.

1. Storing Your Last Will and Testament : Your Last Will and Testament is a very fragile legal instrument and it should be cared for appropriately. Any damage to the original document, whether unintentional (e.g. spills, rips, missing staples, etc.) or not (e.g. writing on it, crossing out, etc.) may invalidate your entire Will. Most states will not accept a copy of your Will; your personal representative must have the original document. Therefore, I suggest:

- *Fireproof Storage*: Put the original Will in a sealed envelope in a safe place, preferably a fireproof container, and let your personal representative and alternate personal representative know where it is and how to access it. Also instruct them not to open the sealed envelope until your death.
- *Safety Deposit Boxes*: Be careful if you plan to store your Will in a safety deposit box. Most states require the box to be sealed upon your death. It may take a court order to unseal the box resulting in delays in the administration of your estate as well as additional fees.
- *Copying Your Will*: Limit the number of copies you make of your Will. The more copies you make the harder it will be in the future to retrieve them all for destruction should you decide to make a new Will. When copying your Will, do not remove the staples. Additional staple holes may raise suspicion among beneficiaries and the courts. Any copies you make should clearly state "Copy" on every page. Do not attach any other documents to your will. If you create a personal property memorandum, simply keep it stored with the will.
- *Reviewing Your Will*: Review and consider updating your Will on an annual basis, or at the very least, upon remarriage, divorce, birth of children, retiring, or a substantial change in financial circumstances. Remember, when considering changes, do not write on or alter your original Will.
- *Prior Will*: If you have a prior Will, you may now destroy it along with any copies.

- *SGLI Designation Update*: If you decided to fund a testamentary trust for your children with your SGLI proceeds, visit your personnel center to fill out a new SGLI designation form. The following language is recommended on the SGLI document in the beneficiary space: “To my children, (Names of Children), or if my children are under the age of (Insert Age), to my trustee to fund a trust established for the benefit of my children, (Names of Children), under my Last Will and Testament.”

- *Asset Overview*: Some of your assets/estate will pass outside of your will. Examples of this usually include your home, life insurance, some bank accounts, etc. I recommend that you make a list of all your assets to give your personal representative, with sufficient information to enable your personal representative to obtain information on behalf of your estate. Many accounts and policies go uncollected each year because the personal representative was unaware of their existence. However, such a list is very dangerous information and you should keep it locked away with your will in a safe place. Do not give this information to your personal representative in advance. If you choose to make such a list, I recommend that you review it for updating annually, both to obtain an overall assessment of your financial assets and to facilitate the administration of your estate. This kind of list can be obtained at <http://www.eglin.af.mil/legal/executor>.

2. Powers of Attorney: Make as many copies of your Power of Attorney that you feel are necessary. Make sure the agent and alternate you appointed have copies of these documents. Note, no one has to accept a power of attorney. It is up to the institution or individual to determine if they will honor it. If they do not accept it because it does not conform to their preferred format or language, please provide this office with the required language and we will gladly prepare a revised Power of Attorney for you to use at that specific institution. Powers of Attorney are extremely difficult to revoke. Do not give a Power of Attorney to your agent unless you are convinced they are trustworthy and will act in your best interests. Almost all Powers of Attorney will expire on their own. Once expired, they are no longer valid.

3. Advanced Medical Directive/Living Wills: Advanced Medical Directives/Living Wills should be placed in your medical records and/or given to your treating physician(s). Make as many copies that you feel are necessary. These documents do not expire but it is a good idea to update them every five years so your family and friends will know that you have recently thought about what you would want to do under these circumstances.

If you have any questions, please contact the Eglin Legal Office at (850) 882-4611. Thank you for entrusting the drafting of these important documents to the Air Force Legal Assistance Office.

Sincerely,

//SIGNED//

BRIAN GAGNE, Capt, USAF
Chief, Legal Assistance